

1 Timothy E. Warriner
2 Attorney at Law
3 1725 Capitol Ave.
4 Sacramento, CA 95814
5 (916) 443-7141

6 Attorney for defendant,
7 ARMANDO JUSTO
8

9
10
11
12
13
14
15

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

16 UNITED STATES OF AMERICA,) No. CRS 05-0112 FCD
17 Plaintiff,) STIPULATION AND ORDER
18) CONCERNING PRE-PLEA
19) PRESENTENCE INVESTIGATION
20) REPORT
21 v.)
22 ALBERT PAUL ALMAREZ and) Status Conf. Date: July 25, 2005
23 ARMANDO JUSTO,) Court: Hon. Frank C. Damrell
24 Defendants.)
25

26 Defendants ALBERT PAUL ALMAREZ, ARMANDO JUSTO, and the United States,
27 through their undersigned counsel, hereby agree and request that the Court order that a pre-plea
28 presentence investigation report be prepared by the United States Probation Department for both
defendants.

29 The reasons for the request are that the proposed disposition in this matter involves both
30 pleas to firearm and related offenses (transportation of explosives), as well as drug offenses, and
31 guidance from the probation department concerning application of the sentencing guidelines in
32 these circumstances is needed to assist in the resolution of the case. These issues, and
33 uncertainty concerning both defendants' criminal history, will likely be resolved through
34 preparation of a pre-plea report.

35 In light of the foregoing, counsel jointly request that the court order the probation
36 department to prepare a full pre-plea presentence report for both defendants, and that the
37 probation department distribute a copy of the draft report to counsel for defendants and the
38

1 government, but that no report be forwarded to the Court.

2 Respectfully submitted.

3 DATED: June 14, 2005

/s/ Tim Warriner
4 Attorney for Defendant,
ARMANDO JUSTO

5 DATED: June 14, 2005

/s/ Matthew Bockman,
6 Assistant Federal Defender,
7 For Defendant, ALBERT
8 ALMAREZ

9 DATED: June 14, 2005

/s/ Richard J. Bender,
10 Assistant United States Attorney

11 ORDER

12 GOOD CAUSE APPEARING, the probation department is hereby ordered to prepare a
13 pre-plea presentence report for both defendants, and to distribute a copy of the draft report to all
14 counsel but not to the court.

15 DATED: June 16, 2005

16 /s/ Frank C. Damrell Jr.
17 UNITED STATES DISTRICT COURT JUDGE